

CITY OF LADUE

Building Department

CITY OF LADUE ZONING AND PLANNING STAFF REPORT September 21, 2020

SPECIAL USE PERMIT (ZPC 20-11)

Address of property: 9901 Clayton Road
Applicant: Claybell Inn, Inc./ James Probst
Action Requested: Special Use Permit for outdoor dining area for restaurant

PROPERTY/ZONING

Sportsman's Park is in the G1 Residential Zoning District. The property is just over 13,000 square feet in size. Outdoor restaurant dining is allowed in a commercial district with a Special Use Permit.

The property has commercial uses to the east, west, and south. It borders on a residential neighborhood to the north.

The St. Louis County Assessor records state that this building was built in 1960. It appears that this restaurant has been operating at this location since 1974.

PROPOSAL

Applicant is applying to place outdoor dining in front of the restaurant in a portion of the parking area.

The plan is for the outdoor eating area to be temporary. It would be protected by concrete barriers and planters. The outdoor eating area would be approximately 800 square feet in size.

The current parking area has 34 spaces. The proposed outdoor dining area would eliminate 5 parking spaces, leaving 29 spaces.

The total available seats in the indoor portion of the



restaurant is 80. This would require 27 parking spaces plus parking for restaurant staff.

Mr. Probststein also owns the office building at 9909 Clayton Road, which is directly to the west of the Sportsman's Park lot. The parking lot for the office building has 156 parking spaces. This office building is only required to have 110 parking spaces.

There is a driveway connecting the Sportsman's Park parking lot and the parking lot for the office building. The City's most recent parking ordinance revision recommends sharing parking whenever practical. If the office building and Sportsman's Park restaurant were to be considered together as a mixed-use facility, the required parking for the combined uses would be 154 spaces. The combined number of parking spaces for both buildings is currently 190. Since these uses are connected and have the same owner, considering them as a mixed-use facility for the purposes of determining required parking seems practical and beneficial.

A facility with 190 parking spaces should have a total of 6 accessible parking spaces. Parking spaces may be spread throughout the parking area and should be located near each accessible entrance.

CITY PLANNER SUGGESTIONS AND COMMENTS

- According to the code regarding ADA parking, this mixed-use site should have 6 total handicapped accessible spaces. It appears that it currently has 4. The applicant is willing to add a couple more accessible spaces to the office building parking area.
- According to the applicant, the outdoor dining is not necessarily being added to increase the number of patrons to the restaurant, but rather to accommodate outdoor dining due to COVID-related restrictions as well as to potentially continue to provide the option of outdoor dining in the future. Because of this and the ample amount of parking available on the 9909 Clayton site, additional parking is not considered necessary for this project.
- A narrow landscaping strip is proposed adjacent to the sidewalk, as recommended by City staff. The parking spaces in front of the restaurant would be in use when the outdoor dining patio is removed during the winter. The driveway that accesses the 4 spots in front will be reduced to 14'-15'. This is considered adequate to accommodate angled parking on only one side.
- This restaurant currently has a liquor license. Per the Special Use Permit, the sale of liquor by the drink may also be extended to the outdoor patio.
- The Architectural Review Board has reviewed and approved the design for the patio barriers that is included in this packet.
- Lighting is intended to be provided via outdoor patio string lights. This will need to be inspected by St. Louis County.

- It may be getting too late in the season to install the patio this summer/fall. Installation may not happen until next spring.
- A formal landscaping plan is not required for the landscape strip, but the City would like an informal plan and the opportunity to comment on the plantings to be provided in the landscape strip.

RECOMMENDED CONDITIONS

1. The proposed outdoor patio shall be placed in front of the building and may not extend into the City right-of-way for Clayton Road. Plans should generally follow the site plan included in the City Council packet.
2. Site improvements must meet ADA requirements. This shall apply to all parking areas available to this site (9901 and 9909 Clayton).
3. A narrow landscaping strip shall be placed between the sidewalk and the patio as indicated by the plans submitted for this application. This landscaping strip will be located on the City's right-of-way and shall be subject to City permitting requirements and landscaping approval.
4. Barriers shall be placed around the outdoor dining area that will protect those dining on the patio. ARB review and approval shall be required prior to installation of the patio.
5. Site improvements shall be constructed in accordance with the approved plans. If the plans or appearance of the patio changes in subsequent seasons, the City Planner shall determine whether such changes require ARB approval and/or an amendment to this Special Use Permit by considering whether such changes have any effect on the criteria for issuance of a Special Use Permit.
6. Any temporary lighting for the patio shall comply with the City's lighting ordinance and be inspected annually by St. Louis County.
7. Music or other amplified sound shall not be allowed on the outdoor patio.
8. Employee parking in the evening hours shall be located near Clayton Road or other location agreeable to the City, rather than adjacent to the residential lots on Dwyer Lane.
9. An additional trash receptacle shall be placed near the overflow lot. Trash shall be monitored on the Sportsman's Park lot and the overflow lot at 9909 Clayton Road.
10. All other related site improvements and construction must comply with all applicable City of Ladue Ordinances and regulations.

CRITERIA FOR APPROVAL

Special Use Permits are regulated by Section VII of the Zoning Ordinance. General criteria are described in Subsection C., as follows:

In considering whether or not such application should be granted, it shall be the duty of the City Zoning and Planning Commission and of the City Council to give consideration to the effect of the requested use on health, safety, morals, and the general welfare of the residents of the area in the vicinity of the property in question, and the residents of the city generally, including the effect on:

1. Traffic in the streets;
2. Fire hazards;
3. Overcrowding of land or undue concentration of people
4. Fire, police, and utility services;
5. Municipal expenditures;
6. The character of the district, and property values in the area; and
7. The general suitability of the property in question for the proposed use.

ZONING AND PLANNING RECOMMENDATION

The Zoning and Planning Commission voted to recommend approval of this Special Use Permit by a vote of six (6) in favor and zero (0) opposed.